

### REMARKS

Reconsideration and allowance of the application as amended is respectfully requested.

Fig. 8 has been amended to show item 68, which had been mistakenly labeled as item 66. Fig. 11 has been modified to include item 94. These changes are reflected in the replacement sheets, which show these changes to Fig. 8 and Fig. 11.

The Examiner has rejected all of the claims as being obvious in view of Dominguez (6,560,473), combined with Sujdak (6,847,836), and certain other patents including Rogel (6,259,939) and Haines (6,385,473).

The claims of the application have been modified and claim 1 presently includes features which are not shown in Rodriguez nor Sujdak.

The Federal Circuit has clearly indicated that it is not sufficient to establish an invalidating suggestion; to merely show that some or all of the claim elements or limitations of the challenged claims of the present invention are found in the prior art. The real issue is instead whether the prior art suggests the overall configuration of the claim elements as opposed to merely disclosing or suggesting individual features. "*Custom Accessories v. Jeffrey-Allan Industries* 807 f.2d 955, 959 (fed.cir.1986)".

There is no suggestion in any of the other prior art references that were cited by the Examiner that this combination of features would be desirable. Each of the prior art references have their own solution to the problem of establishing predictable electrode location on a patient,

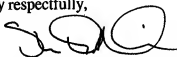
and there is no suggestion to combine bits and pieces of all of these applications to form a device as described in claim 1.

CONCLUSION

For all the reasons given above, applicants respectfully submit that the errors in the specification are corrected. Accordingly, applicants submit that this application is now in full condition for allowance, which action applicants respectfully solicit. If the Examiner feels it would advance the application to allowance or final rejection, she is invited to telephone the undersigned at the number given below.

DATED this 10th day of October 2006.

Very respectfully,



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